

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 08cv1059-LAB (BLM)
)
Plaintiff,) JUDGMENT OF FORFEITURE
)
v.)
)
ONE 2005 NISSAN TITAN,)
PICKUP TRUCK, CALIFORNIA)
LICENSE NO. 7U07825,)
VIN 1N6AA07A85N522608,)
ITS TOOLS AND APPURTENANCES,)
)
Defendant.)
_____)

Having reviewed the Joint Motion For Forfeiture of Defendant
Vehicle and good cause appearing therefor,

IT IS HEREBY ORDERED, ADJUDGED and DECREED:

The Joint Motion is approved;

1. Claimant Christopher David Kenniston shall pay to the
United States a total of \$5,000.00 in U.S. dollars to settle the
case. Of that total amount, \$4,000.00 shall be condemned and
forfeited to the United States. The remaining \$1,000.00 shall be
paid by claimant to cover a portion of the costs associated with
the seizure and storage of the defendant vehicle.

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1 2. On or before July 11, 2008, claimant shall pay to the
2 United States the amount of \$4,000.00 in the form of a cashier's
3 check, made payable to Customs and Border Protection.

4 3. On or before July 11, 2008, claimant shall pay \$1,000.00
5 to the storage facility, San Diego Auto Auction, in partial
6 payment for the costs of storage of the defendant vehicle incurred
7 by the United States Government from the day of its seizure until
8 July 11, 2008. Any and all costs above and beyond \$1,000.00
9 incurred by the United States as a result of the seizure, storage
10 and maintenance of the defendant vehicle from the date of its
11 seizure until July 11, 2008 shall be borne by the United States.

12 4. Claimant shall pay the \$1,000.00 in fees and retrieve
13 the defendant vehicle from the storage facility on a date no later
14 than July 11, 2008. Any and all costs generated as a result of
15 the storage and maintenance of the defendant vehicle from July 12,
16 2008, until the date claimant pays the \$1,000.00 and retrieves his
17 vehicle from the storage facility shall be borne by claimant.

18 5. The person or persons who made the seizure and the
19 prosecutor shall not be liable to suit or judgment on account of
20 such seizure and prosecution in accordance with Title 28, United
21 States Code, Section 2465.

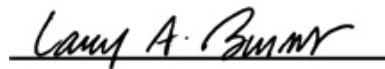
22 6. The terms of this settlement do not affect the tax
23 obligations, fines, penalties, or any other monetary obligations
24 claimant may owe to the United States.

25 7. The claimant agrees that by entering into this
26 stipulation, claimant has not "substantially prevailed" within the
27 meaning of 28 U.S.C. § 2465. The parties to this settlement agree
28 that each will bear their own attorney's fees and costs.

1 8. The claimant, claimant's agents, employees, or assigns,
2 shall hold and save harmless the United States of America, its
3 agents and employees (other than private contractors), from any
4 and all claims which might result from the seizure of the
5 defendant vehicle.

6 9. This case is hereby ordered closed. Let judgment be
7 entered accordingly.

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9 DATED: July 23, 2008

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11 **HONORABLE LARRY ALAN BURNS**
12 United States District Judge
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